

# **EXHIBIT F**

**CONDENSED COPY**

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK  
3 Civil Action No. 07-CV-3616 (MGC)

4 -----x  
5 BABY BEAN PRODUCTIONS LLC,

6 Plaintiff,

7 -against-

8 DC SHOES, INC.,

9 Defendant.

10 -----x  
11 February 6, 2008

12 12:05 p.m.

13

14 12 Deposition of DANNY PARKS, taken by  
15 Defendant, pursuant to notice, at the offices of  
16 Kane Kessler, P.C., 1350 Avenue of the Americas,  
17 New York, New York, before SUZANNE PASTOR, a  
18 Shorthand Reporter and Notary Public within and  
19 for the State of New York.

20

21 ROSENBERG AND ASSOCIATES

22 Certified Court Reporters & Videographers

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<p>1 Danny Parks - February 6, 2008</p> <p>2 A. Okay. Well, right now we're doing</p> <p>3 an event, which is a tour, called the Scion and</p> <p>4 Signal Snowboards Road Trip, which is a mobile</p> <p>5 marketing tour. And so I would consider that</p> <p>6 probably one event, but it's a mobile marketing</p> <p>7 tour that lasts approximately two and a half to</p> <p>8 three months long. So we manage that.</p> <p>9 Q. Other events that you're involved</p> <p>10 with?</p> <p>11 A. The King of New York.</p> <p>12 Q. What type of an event is the King</p> <p>13 of New York event?</p> <p>14 A. It's an action sports lifestyle</p> <p>15 event.</p> <p>16 Q. Any particular sport that's neat</p> <p>17 toured?</p> <p>18 A. BMX has been featured.</p> <p>19 Q. What does BMX stand for?</p> <p>20 A. Bicycle Motocross.</p> <p>21 Q. When was the first time -- for</p> <p>22 shorthand purposes during this deposition, I'm</p> <p>23 going to call the King of New York event the</p> <p>24 KoNY event. Is that okay with you?</p> <p>25 A. Sure.</p>	<p>6</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 involvement with the KoNY event?</p> <p>3 A. Personally? Or my business?</p> <p>4 Q. Your business. What's the current</p> <p>5 involvement of Baby Bean in the KoNY event?</p> <p>6 A. We manage the event. We organize</p> <p>7 it, we manage it, coordinate everything involved</p> <p>8 pretty much.</p> <p>9 Q. So when was the first KoNY event</p> <p>10 that you personally were involved in managing,</p> <p>11 organizing and coordinating?</p> <p>12 A. As I just stated -- you mean pretty</p> <p>13 much everything there? 2006.</p> <p>14 Q. And before 2006 you had involvement</p> <p>15 with the KoNY event as a sponsor or as a judge</p> <p>16 but not as an organizer or coordinator, is that</p> <p>17 fair do say?</p> <p>18 A. Not necessarily. I would help out</p> <p>19 where needed. I mean, I would help organize</p> <p>20 little things here and there. I don't recall</p> <p>21 the exact -- it -- the exact nature. But I</p> <p>22 would say more than just a judge and sponsor.</p> <p>23 Q. Is an event owned by anybody?</p> <p>24 MR. SONNABEND: I object.</p> <p>25 Q. You can answer it.</p>
<p>1 Danny Parks - February 6, 2008</p> <p>2 Q. When I say KoNY, K-O-N-Y.</p> <p>3 Is the KoNY event an annual event?</p> <p>4 A. It is.</p> <p>5 Q. When was the first KoNY event that</p> <p>6 Baby Bean was involved with?</p> <p>7 A. Baby Bean as an entity was involved</p> <p>8 with the first one in 2006.</p> <p>9 Q. Do you remember what month the 2006</p> <p>10 event was in?</p> <p>11 A. July.</p> <p>12 Q. Were you personally involved with</p> <p>13 any KoNY events prior to that?</p> <p>14 A. Yes.</p> <p>15 Q. What was the first event that you</p> <p>16 were personally involved with?</p> <p>17 A. Probably -- the first one, in 1995.</p> <p>18 Q. What was your involvement with the</p> <p>19 1995 event?</p> <p>20 A. I believe I was a sponsor of the</p> <p>21 event. And I may have helped judge the event.</p> <p>22 Q. What's the next KoNY event that you</p> <p>23 were involved in?</p> <p>24 A. Probably 1996. Probably 1996.</p> <p>25 Q. How would you describe your current</p>	<p>7</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 A. I would think, yes.</p> <p>3 Q. Who is the KoNY event owned by?</p> <p>4 A. Baby Bean and Luis Perez.</p> <p>5 Q. So the event is owned by Baby Bean</p> <p>6 and Luis Perez jointly?</p> <p>7 A. Correct.</p> <p>8 Q. And did there come a point in time</p> <p>9 where you formed a partnership with respect to</p> <p>10 the KoNY event?</p> <p>11 A. Yes.</p> <p>12 Q. And when did that happen?</p> <p>13 A. In approximately August of 2005.</p> <p>14 Q. You're sure of the date.</p> <p>15 A. Mm-hmm.</p> <p>16 Q. What were the circumstances under</p> <p>17 which this partnership was formed?</p> <p>18 A. I asked him, I'm starting a company</p> <p>19 and I want to get involved in the event, I want</p> <p>20 to partner up with you. And I asked his</p> <p>21 permission.</p> <p>22 Q. So at that point your goal was to</p> <p>23 change the nature of your involvement in the</p> <p>24 event from what it was to something different.</p> <p>25 A. To something different, yes.</p>

<p>1 Danny Parks - February 6, 2008  2 Q. And who is Luis Perez?  3 A. He's a really good friend of mine.  4 I've known him for quite a while.  5 Q. How long?  6 A. I'm trying to think how old I am  7 now. Over 20 years I believe.  8 Q. And what was Luis's involvement  9 with the KoNY event in August of '05?  10 A. He was the existing owner of the  11 event I guess. He started it and, yes, he was  12 the owner of the event.  13 Q. Why do you say that, he was the  14 owner of the event?  15 A. Well, because he didn't -- he sort  16 of had a sport organizer. Someone who helped  17 him do the coordination, some of the -- well,  18 some of the coordination of the event.  19 Q. So why did you say he was the owner  20 of the event?  21 MR. SONNABEND: I Object.  22 A. Because he started it. It was his  23 event.  24 Q. Okay, that's your definition of an  25 owner of the event. Someone who started it?</p>	<p>10  1 Danny Parks - February 6, 2008  2 Q. I think you already described that  3 the partnership owned the event after that point  4 in time.  5 A. Correct.  6 Q. Prior to that time, meaning August  7 2005, did Danny Parks have any ownership  8 interest in the event?  9 A. No.  10 Q. But as a result of this  11 partnership, did you individually take with Luis  12 Perez an ownership interest in the event?  13 A. Baby Bean Productions, yes, I did.  14 And me meaning Baby Bean Productions?  15 Q. Well, we're talking about August  16 2005, right?  17 A. Right.  18 Q. Didn't you already tell us that  19 Baby Bean was created in January of '06?  20 A. Correct. So -- well, we started  21 discussing it in August of '05. And I told him  22 that we were going to -- the reason that I  23 started it was when I was going to start my  24 company. And I knew it wasn't started then. It  25 was going to be for next year in 2006. So --</p>
<p>11  1 Danny Parks - February 6, 2008  2 MR. SONNABEND: I object.  3 A. Someone who started it, yes,  4 someone who started it and runs it.  5 Q. Where is the conducted?  6 A. It has been conducted in the past  7 at Mullally Park.  8 Q. Every year it's been at Mullally?  9 A. Correct.  10 Q. Was there an event in 2005?  11 A. I don't believe there was. There  12 was a year that they skipped. I'm not sure  13 which one it was.  14 Q. Now, you formed this partnership in  15 August 2005 with Luis Perez, is that correct?  16 A. Mm-hmm.  17 Q. What was the nature of the  18 partnership?  19 A. That it was -- I don't quite  20 understand your question.  21 Q. What is the purpose of the  22 partnership?  23 A. What's -- I mean, what's the  24 purpose of a partnership? To run things  25 together.</p>	<p>11  13  1 Danny Parks - February 6, 2008  2 repeat your question because I'm not quite  3 following you.  4 Q. I'll ask another question. When  5 the partnership -- you already told us that the  6 partnership was formed in August of 2005,  7 correct?  8 A. That's when we started discussing  9 it.  10 Q. That's when you started discussing  11 it. So when was the partnership actually  12 formed?  13 A. I mean, I guess -- can you form --  14 I'm just not quite sure if you can form a  15 partnership -- yes, August 2005. August 2005.  16 Q. So in August 2005 Baby Bean did not  17 legally exist, correct?  18 A. Correct.  19 Q. So who were the original partners  20 in the partnership?  21 A. I guess myself and Luis.  22 Q. So you individually and Luis.  23 MR. SONNABEND: I object. He just  24 answered that, Adam.  25 A. Yes.</p>

<p>1 Danny Parks - February 6, 2008  2 correct?  3 A. Correct.  4 Q. Was there a particular reason why  5 you decided it had to be on paper at that point  6 in time?  7 A. Yes.  8 Q. What was that?  9 A. For the DC Shoes King of New York  10 issue.  11 Q. What do you mean by that?  12 A. Meaning something needed to be  13 written down on paper to show that we had a  14 partnership. We didn't need anything written,  15 Luis and I.  16 Q. Because you felt that was necessary  17 for the purposes of this lawsuit.  18 A. Correct.  19 Q. And who told you that? And I don't  20 want to know what your counsel may have told  21 you. I'm not interested in that. But if anyone  22 other than your counsel told you that that was  23 necessary --  24 A. No.  25 Q. Did you come to that determination</p>	<p>18</p> <p>1 Danny Parks - February 6, 2008  2 A. It's a partnership agreement. It  3 says that we're partners in the event.  4 Q. Anything else?  5 MR. SONNABEND: I object. What's  6 the purpose of this? Just to harass him?  7 MR. COHEN: I want to know what his  8 current recollection is of the document.  9 Q. If you don't have any, you can tell  10 me.  11 A. It's a partnership agreement. It  12 says we're partners in the event. It says we're  13 co-owners of the event.  14 Q. There's a lot of different things  15 that a partnership agreement can say. I'm  16 asking you what your understanding of what your  17 partnership agreement says.  18 A. And I'm telling you.  19 Q. Tell me.  20 A. I just did.  21 MR. COHEN: Read it back, please.  22 (The preceding answer was read.)  23 A. I don't know it verbatim.  24 Q. I don't expect you to know it  25 verbatim.</p>
<p>19</p> <p>1 Danny Parks - February 6, 2008  2 on your own?  3 A. With some advice.  4 Q. So this partnership agreement was  5 signed at some point in time in April of '06 or  6 April of '07, correct?  7 A. It was April of '07, I'm pretty  8 sure.  9 Q. Do you remember the issues that was  10 discussed in this partnership agreement?  11 A. Between whom?  12 Q. In the document. What were the  13 issues that were addressed?  14 MR. SONNABEND: I object to the  15 question.  16 A. The issues that were addressed were  17 those of forming of a partnership.  18 Q. Which are?  19 MR. SONNABEND: I object to the  20 question. The document says what the document  21 says. Why don't you put it in front of him.  22 A. Yeah. It says in the document.  23 Q. I will. But I'm entitled to know  24 what your current recollection of the document  25 is. I'll put it in front of you when I'm ready.</p>	<p>21</p> <p>1 Danny Parks - February 6, 2008  2 Any other issues you think are  3 addressed in this partnership agreement other  4 than that you're partners and co-owners?  5 A. There's five paragraphs, four or  6 five paragraphs. So yes, there probably are.  7 Q. Who drafted that document?  8 A. I did.  9 Q. You did.  10 A. I did.  11 Q. Were you being assisted by counsel  12 at that time?  13 A. No.  14 Q. And who are the parties to that  15 document? Who signed it?  16 A. Myself and Luis Perez.  17 Q. And did you sign on behalf of  18 yourself or on behalf of Baby Bean?  19 A. On behalf of Baby Bean.  20 Q. Let's take a look at it.  21 (Defendant's Exhibit 1 for  22 identification, Partnership Agreement, document  23 bearing Bates production number P 000002.)  24 Q. I'll ask you to take a look at  25 what's been marked as Defendant's Exhibit 1.</p>

<p>1 Danny Parks - February 6, 2008  2 A. Okay.  3 Q. Do you recognize that document as  4 the partnership agreement we've been discussing?  5 A. I do.  6 Q. And is that your signature at the  7 bottom?  8 A. Yes, it is.  9 Q. Now, this document is dated  10 April 12th, 2007, correct?  11 A. Correct.  12 Q. Did you sign this document on or  13 about April 12th, 2007?  14 A. Yes.  15 Q. Do you see the fax line at the top  16 of the document of this copy?  17 A. Mm-hmm.  18 Q. Do you recognize that fax number  19 there?  20 A. No.  21 Q. There's a date next to the fax  22 number, July 16th, '07. Do you see that?  23 A. Mm-hmm.  24 Q. Are you certain that you signed the  25 document on April -- on or about April 12th,</p>	<p>22  1 Danny Parks - February 6, 2008  2 this document?  3 A. It means the King of New York.  4 Everything relating to it.  5 Q. So "event property" means  6 everything related to the King of New York  7 event.  8 A. Correct.  9 Q. So that would mean the -- give me  10 some examples of what that means.  11 A. Well, I have stuff in here for  12 example. Net profits of the partnership, any  13 equity of the event, trademark rights, licensing  14 rights. I mean, anything that we deemed  15 relevant to King of New York.  16 Q. So trademark rights are part of  17 event property?  18 A. I believe so.  19 Q. And event property is owned jointly  20 by you and Luis Perez under this document?  21 A. Correct.  22 Q. How about goodwill, are you  23 familiar with that word?  24 A. Yes.  25 Q. Who owns the goodwill associated</p>
<p>1 Danny Parks - February 6, 2008  2 2007?  3 A. Yes.  4 Q. How can you be sure of that?  5 A. Because it's dated April 12th. I  6 remember writing that.  7 Q. That's your handwriting in the  8 date?  9 A. Yes.  10 Q. Now, did you understand this  11 document at the time you put your signature to  12 it?  13 A. Yes.  14 Q. You were the originator of this  15 document. You created this document.  16 A. Yes, right.  17 Q. Now, this document talks about  18 event property. Do you see that word appearing  19 in the document?  20 A. Yes.  21 Q. What does "event property" mean?  22 A. It means the -- to me what does it  23 mean?  24 Q. What does it mean -- you wrote this  25 document. What does it mean in the context of</p>	<p>23  1 Danny Parks - February 6, 2008  2 with the event?  3 A. Well, I know -- I think I know what  4 goodwill means, but I'm not quite sure I  5 understand the definition of it relating to an  6 event.  7 Q. What do you understand "goodwill"  8 to mean?  9 A. Just doing something good for  10 someone else. That's what it means to me.  11 Q. How about the reputation of the  12 event, who owns that?  13 A. I don't know if you can own -- can  14 you own a reputation? You can have control of  15 the reputation. I'm not sure if you can own a  16 reputation. But that would be our -- a certain  17 reputation would come along with the King of New  18 York.  19 Q. And the right to conduct the event,  20 is that part of event property?  21 A. Yes, I believe it is.  22 Q. Which, again, is owned jointly by  23 you and Luis Perez.  24 A. Correct.  25 Q. Now, what does that mean when</p>

<p>1 Danny Parks - February 6, 2008  2 something is owned -- in this context, what does  3 that mean that you jointly own it? Does that  4 mean that either of you can conduct an event  5 called KoNY on your own without the other?  6 A. No.  7 Q. So what does it mean?  8 A. It means we own a singular event  9 called King of New York.  10 Q. So that means that if either of you  11 want to conduct the KoNY event, you need to have  12 involvement from both of you?  13 A. Out of respect we would. But we  14 confer with one another and give each other the  15 right to do with it what we want. I don't think  16 that instance would ever happen.  17 Q. Now, prior to entering into this  18 event partnership agreement, I believe you  19 testified that Baby Bean didn't have any  20 ownership rights in the KoNY event, is that  21 correct?  22 MR. SONNABEND: Can I have the  23 question again?  24 (The pending question was read.)  25 A. Correct.</p>	<p>26  1 Danny Parks - February 6, 2008  2 Q. What do you mean by "include all  3 rights beginning with the creation of the event  4 in '95"?  5 A. It means I pretty much worded it I  6 think to show that it's not a different event  7 starting in August 2005. That it's all the same  8 event, same King of New York. And so anything  9 that started with the King of New York in 1995  10 is sort of going to continue.  11 Q. And so is it your understanding  12 that Luis is -- prior to entering into this  13 agreement, Luis Perez had those rights dating  14 back to 1995?  15 A. Yes.  16 Q. And why do you believe that?  17 A. Because he started the event.  18 Q. Where does Luis Perez live now?  19 A. Pennsylvania.  20 Q. Near you in Boalsburg?  21 A. No.  22 Q. Who's Robert Ramos?  23 A. He is the current skate park  24 manager at Mullally Skate Park.  25 Q. He's currently a New York City</p>
<p>27  1 Danny Parks - February 6, 2008  2 Q. Who's responsible for event  3 management of the KoNY event?  4 A. The majority of it is myself.  5 Q. But this document says that the  6 partnership shall have equal rights in the  7 management of the partnership business. What  8 does that mean?  9 A. It means just what's written there.  10 We'll have equal rights in its management, but  11 that doesn't mean -- the way I wrote it up is it  12 doesn't mean that we have to exert those legal  13 rights all the time.  14 Q. So each partner has equal rights in  15 planning, but in practice you take the labor, is  16 that fair to say?  17 A. I would say yes.  18 Q. Now, this document says in the  19 second paragraph, second sentence, it says, "The  20 partnership shall begin on August 2005, which  21 will include all rights beginning with the  22 creation of the event in 1995, and shall  23 continue until terminated as herein provided."  24 Do you see where it says that?  25 A. Mm-hmm, I have do.</p>	<p>29  1 Danny Parks - February 6, 2008  2 Parks employee?  3 A. Yes.  4 Q. Is he a friend of yours?  5 A. Yes, he is.  6 Q. Do you know him from about the same  7 time you know Luis Perez?  8 A. A little bit less time, but a long  9 time.  10 Q. Is there any other agreement in  11 place between you and Perez relating to KoNY?  12 A. Written agreement? No. Written  13 agreement, this is it.  14 Q. This is the only written agreement  15 you have between you and Luis Perez relating to  16 KoNY.  17 A. Yes, I believe so.  18 Q. Is there any other verbal agreement  19 that you have with him?  20 A. No. I mean, the verbal agreement  21 was -- no. The verbal agreement was based on --  22 this is based on the verbal agreement.  23 Q. So this document essentially  24 memorializes all understandings you have with  25 Perez relating to KoNY?</p>